

Ms. MCSALLY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING PAUL HUDSON

Ms. MCSALLY. Madam President, last week, I cosponsored a bipartisan resolution honoring the three American firefighters who lost their lives fighting Australia's bush fires this year, including First Officer Paul Hudson, from Buckeye, AZ. Each of these men gave the ultimate sacrifice in service to others.

Paul dedicated his life to protecting others, first as a marine and then as a firefighter. He served in the Marine Corps for 20 years, including as a C-130 pilot, before retiring as a lieutenant colonel. Paul graduated from the Naval Academy in 1999 and later went on to earn a master's degree in business administration and information technology management from the Naval Postgraduate School.

When aid was needed in Australia to combat the devastating wildfires, Paul jumped into action and put his life on the line to help others. He was only 42 years old when he was killed in a plane crash while fighting to extinguish these awful fires. My heart and my prayers, and Arizona's heart and Arizona's prayers, go out to his wife, Noreen, and her loss. Arizona will not forget Paul's immense selflessness and his sacrifice.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 587.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of James P. Danly, of Tennessee, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2023.

##### CLOTURE MOTION

Mr. MCCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

##### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of James P. Danly, of Tennessee, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2023.

Mitch McConnell, Mike Crapo, Tim Scott, Chuck Grassley, David Perdue, Lamar Alexander, John Barrasso, Tom Cotton, Thom Tillis, James M. Inhofe, Shelley Moore Capito, Ron Johnson, Mike Rounds, Richard Burr, James Lankford, Jerry Moran, John Thune.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. MCCONNELL. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### RECESS

Mr. MCCONNELL. Madam President, I ask unanimous consent the Senate stand in recess until 5 p.m.

Thereupon, the Senate, at 4:02 p.m., recessed until 5 p.m. and reassembled when called to order by the Presiding Officer (Mr. CASSIDY).

#### LEGISLATIVE SESSION—Continued

##### PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION RELATING TO "BORROWER DEFENSE INSTITUTIONAL ACCOUNTABILITY"—MOTION TO PROCEED

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, in just a few moments, we are going to be considering the motion to proceed to the borrower CRA, and I would like to say a few words, understanding that the Senators are expecting this motion to come up in about 5 minutes.

This is a joint resolution that was passed on a bipartisan basis in the House of Representatives to overturn the borrower defense rule that has been promulgated by Department of Education Secretary Betsy DeVos. I am pleased to be the Senate's sponsor.

Here is what it comes down to—hundreds of thousands of Federal student loan borrowers having been defrauded by their schools. They went to some of these for-profit schools that have gone out of business, but many schools defrauded these students over the years.

We in Congress established what was known as the borrower defense. We said, if you borrow money from the Federal Government and go to colleges that we acknowledge as being accred-

ited and they defraud you, lie to you, misrepresent to you what your education is going to cost or what it is going to give you, then, you don't have to be saddled with the student debt for the rest of your life because of their lies, because of their fraud. You have a chance to go to the Department of Education and plead your case that you were defrauded, and you should at least be relieved of some, if not all, of your student loan debt. That is what it is all about.

There are 230,000 student borrowers who are waiting for the Department of Education, under Betsy DeVos, to do something. The Department has not done anything except to come up with a new rule that says, at this point, it is going to be harder for these students to prove fraud. It isn't enough that the States and other units of government have found fraud by these schools. These students are supposed to be their own lawyers and their own investigators and prove the fraud and how it affected them personally.

Is it reasonable for a young student who has been defrauded and is carrying student debt to have that responsibility? Secretary DeVos thinks yes. I think no. That is what this vote is all about.

Who agrees with my position on this issue? Most of the advocates for students do. In addition, the veterans organizations across America, led by the American Legion, are supporting our effort now under this Congressional Review Act to do away with the new rule by the Secretary of the Department of Education. They say it is unfair to veterans—it is—and unfair to student borrowers to hold them to this standard.

The American Legion's national commander, Bill Oxford, called the rule, which we are going to get a chance to vote on after the debate, "fundamentally rigged against defrauded borrowers." He is speaking on behalf of veterans. He could be speaking on behalf of young men and women across America who have been misled by these schools over and over again. The Bipartisan Policy Center Action, the NAACP, Third Way, 20 State attorneys general, and a host of others have joined me in urging the Senate to overturn this unfair rule.

The Senate has a chance today to show the country that we can come together and do the right thing for students and veterans. How many times have we given speeches about how much we care about veterans? Here is a chance to vote with the veterans, especially those who have been defrauded out of their GI bill of rights and have ended up with additional debt.

Secondly, how many times have people told us these student debts are too much, are ruining kids' lives, and to give them a chance? I am not for forgiving all loans to all students, but these students have been defrauded. They should have an opportunity to start life again and not be burdened with the debt that is going to make life impossible in their futures.